



ANTHONY G. BROWN, MARYLAND ATTORNEY GENERAL

PRESS RELEASE

FOR IMMEDIATE RELEASE

Media Contacts:
press@oag.state.md.us
410-576-7009

Maryland Attorney General's Office and Maryland Department of the Environment Seek Justice After 2021 Oil Release in Frederick County

Lawsuit Filed Holding Two Companies Responsible

BALTIMORE, MD (June 15, 2023) – Maryland Attorney General Anthony G. Brown and Maryland Department of the Environment Secretary Serena McIlwain announced a [lawsuit](#) filed on behalf of the Maryland Department of the Environment, seeking to hold D.M. Bowman, Inc. and Day and Sons, Inc. responsible for a release of diesel fuel in Frederick, Maryland.

On December 7, 2021, the Oil Control Program at the Maryland Department of the Environment (MDE) received a report of a release of diesel fuel at the D.M. Bowman facility, located at 6816 English Muffin Way in Frederick, Maryland. The Oil Control Program subsequently determined that the release occurred when horizontal drilling conducted by Day and Sons, Inc. struck the underground diesel lines at the D.M. Bowman facility. Initial estimates indicate that over 7,000 gallons of diesel were released into the subsurface; however, the full scope of the incident is still being investigated. The Department alleges that D.M. Bowman failed to properly maintain inventory records and investigate unusual operating conditions in accordance with Maryland law, resulting in the release going unreported for days. The limestone and other geological features in the area create difficulties in locating the released fuel, but site assessment and remediation activities are ongoing.

“The negligence displayed by these two companies demonstrate a complete disregard for our environment and the well-being of our communities,” said Attorney General Brown. “Their actions will not go unanswered. I am committed to holding these businesses accountable for their violations and ensuring they take action to repair and restore the integrity of our natural resources. Marylanders deserve nothing less.”

“The Maryland Department of the Environment is committed to a renewed focus on enforcement,” said Secretary McIlwain. “We expect businesses to operate responsibly, and when they don’t, MDE will hold them accountable.”

The Department of the Environment is responsible for administering and enforcing State laws regarding oil-related facilities, oil-related activities, and oil pollution in and on land and the waters of the State. Diesel fuel is a soil, groundwater, and surface water pollutant.

In the complaint, the Department of the Environment asks the court to enter injunctions requiring the defendants to remediate the damage to the land and waters and to comply with any conditions imposed by the Department to protect public health, safety, and the environment. The complaint also seeks civil penalties for violations of Title 4 of the Environment Article and associated regulations.

###

<https://www.marylandattorneygeneral.gov/press/2023/061523.pdf>